

MEMO ENDORSED

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

HACKENSACK RIVERKEEPER, INC. and NEW CITY
NEIGHBORHOOD ASSOCIATION, INC.,
Plaintiffs,

v.

ROCKLAND TRANSIT MIX, INC. and BRUNO
PALMIERI,
Defendants.

Case No. 7:21-cv-06919

MOTION FOR STAY AND NOTICE OF LODGING OF CONSENT DECREE

The parties Plaintiffs Hackensack Riverkeeper, Inc. and New City Neighborhood Association, Inc., and Defendants Rockland Transit Mix, Inc. and Bruno Palmieri (collectively, the “Parties”) respectfully move the Court to stay all future deadlines. Plaintiffs hereby provide notice to the Court that the parties have agreed to a settlement of this case. The Parties are lodging the attached proposed Consent Decree with the Court pending conclusion of a required forty-five (45) day review period mandated by the Clean Water Act and its regulations.

The Parties are not asking the Court to enter the proposed Consent Decree at this time. Pursuant to the federal Clean Water Act, the United States Department of Justice (“DOJ”) and the Environmental Protection Agency (“EPA”) must have a period of 45 days in which to review and provide any comments on the proposed Consent Decree. 33 U.S.C. § 1365(c)(3); 40 C.F.R. § 135.5(b). Plaintiffs will provide a copy of the proposed Consent Decree to DOJ and EPA as required by the statute. Following the 45-day review period, the parties will move the Court to enter the Consent Decree.

Pending the DOJ/EPA review process, the Parties respectfully request that the Court stay all future deadlines in this case.

Respectfully submitted this 17th day of March, 2022.


/s/ Edan Rotenberg

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Granted.

The Clerk of Court is directed to terminate the pending motion. (Dkt. No. 21.)

SO ORDERED



KENNETH M. KARAS U.S.D.J.

3/22/22